

REMARKS

This is a full and timely response to the outstanding final Office Action mailed February 9, 2005. Reconsideration and allowance of the application and presently pending claims 1-5, 12-14 and 18-22, as amended, are respectfully requested.

1. Present Status of Patent Application

Upon entry of the amendments in this response, claims 1-5, 12-14 and 18-22 remain pending in the present application. More specifically, claims 1 and 5 are directly amended, claims 6-11 and 15-17 are canceled without prejudice, waiver, or disclaimer, and claims 18-22 are added. These amendments are specifically described hereinafter. It is believed that the foregoing amendments and additions add no new matter to the present application.

In accordance with 37 U.S.C. 1.114, a **Request For Continued Examination** is filed concurrently with this Response To The Final Office Action so that the Office Action mailed February 9, 2005 (Part of Paper No. 20050131) is effectively made non-final.

2. Response to Rejection of Claims 1-17

In the Office Action, claims 1-3 and 5-8 stand rejected under 35 U.S.C. §102(b) as allegedly being unpatentable by *Iijima* (U.S. Patent 4,293,739). For a proper rejection of a claim under 35 U.S.C. Section 102, the cited reference must disclose all elements/features/steps of the claim. See, e.g., *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

Additionally, claim 4 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Iijima*. Claims 9-11 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Iijima* in view of *McHale* (U.S. Patent 6,088,430).

a. Independent Claim 1

Applicants respectfully submit that independent claim 1, as amended, is allowable for at least the reason that *Iijima* does not disclose, teach, or suggest the feature of "a first

amplifier having an output at least coupled to the tip connection of the plurality of communication connections and at least one input coupled to the Tx+ output of the MVL transmitter, and configured to have a nearly-zero impedance characteristic; and a second amplifier having an output at least coupled to the ring connection of the plurality of communication connections and at least one input coupled to the Tx- output of the MVL transmitter, and configured to have a nearly-zero impedance characteristic” as recited in claim 1.

b. Dependent Claims 2-4 and 12-14

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-4 and 12-14 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2-4 and 12-14 contain all features/elements of independent claim 1. See, *e.g.*, *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

c. Independent Claim 5

Applicants respectfully submit that independent claim 5, as amended, is allowable for at least the reason that *Iijima* does not disclose, teach, or suggest the feature of “coupling a first amplifier between a tip connection of a first communication connection and a first output (Tx+) of a communication device, said first amplifier having a nearly-zero impedance characteristic” and the feature of “coupling a second amplifier between a ring connection of a first communication connection and a first output (Tx-) of a communication device, said second amplifier having a nearly-zero impedance characteristic” as recited in claim 5.

d. Claims 6-11 and 15-17

Claims 6-11 and 15-17 are canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to these claims are rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue

the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

4. Newly Added Claims 18-22

New claims 18-22 are based on subject matter that is explicit and/or inherent within the description of the specification and/or the drawings. Applicants submit that no new matter has been added in the new claims 18-22, and that new claims 18-22 are allowable over the cited prior art. Therefore, Applicants request the Examiner to enter and allow the above new claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-5, 12-14 and 18-22 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



Raymond W. Armentrout
Reg. No. 45,866

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500